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TO: Office of Initial Patent Examination
FAX NO: (703) 746-9195

FROM: Harriet M. Strimpel, D. Phil.
FAX NO: (978) 927-1705

SUBJECT: Application Serial No. 10/657,298
               Date Filed: September 8, 2003
               Our Docket No. NEB-180-DIV

Please see attached.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jack, et al.
Serial No.:   10/657,298
Filing Date: September 8, 2003
Title of Invention: Use of Site-Specific Nicking Endonucleases to Create Single-
                        Stranded Regions and Applications
Atty Dkt. No.:   NEB-180-DIV
Date: October 21, 2004

Commissioner for Patents
Office of Initial Patent Examination
P.O. Box 1450
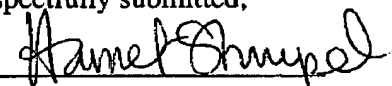Alexandria, VA 22313-1450

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_____
Leslie Goldberg

REQUEST THAT NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES (NOTICE TO COMPLY) ISSUED IN ERROR BE VACATED

Attached is a copy of a document, "Preliminary Amendment, Information Disclosure

Statement and Sequence Listing," which was filed with the application. Please see page

6 of this document, on which Applicants request that the sequence listing be obtained

from the parent case. This document was clearly overlooked by the initial examiner.

Please confirm that Applicants need not respond to the Notice to Comply. A copy of the

Notice is also attached.

Respectfully submitted,

_____
Harriet M. Strimpel, D. Phil.
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978-927-5054, ext. 373

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/657,298	09/08/2003	William E. Jack	NEB-180-DIV

CONFIRMATION NO. 9741

28986
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FORMALITIES LETTER

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Date Mailed: 09/21/2004

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

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